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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,809	11/30/2001	Steven M. Belz	82715RLO	9159

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Pamela Crocker
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER

YODER III, CHRISS S

ART UNIT	PAPER NUMBER
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2612

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DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,809

Applicant(s)

BELZ ET AL.

Examiner

Chriss S. Yoder, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

In view of the appeal brief filed on April 30, 2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US Patent # 6,167,469) in view of Viktors (Japanese publication # 2000-232599) and in further view of Tanaka et al. (US Patent # 6,392,697).
3. In regard to claim 1, note Safai discloses the use of a digital camera including a viewable display (figure 1: 108), a lens for providing an optical image (column 1, lines

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19-21), an image sensor for receiving the optical image (figure 2: 202), a processor for producing a digital image to be displayed on the display (figure 2: 208 and 219), a memory for storing the captured images (column 6, lines 1-5; and figure 2: 212), a docking interface to permit the digital camera to be connected to the docking unit (column 6, lines 60-65; the camera inherently has an interface, without the interface the camera cannot communicate with the docking station), a processor coupled to the memory for providing communication through the docking unit to a channel so that captured digital images stored in memory are transferred over the channel to a service provider (column 6, lines 10-15 and column 6, lines 60-65), transferred digital images are received over the channel from the service provider and stored in memory (column 15, lines 36-44), the processor being coupled to the display so that the captured images and transferred images can be viewed (column 15, lines 36-44), a docking unit that communicates over a channel for transferring captured images to a service provider and receiving images from the service provider (column 6, lines 60-65), the docking unit has a connector for receiving the interface on the digital camera (column 6, lines 60-65; the unit inherently has a connector, without a connector the docking unit would not be able to communicate to the camera), and a network connection for interconnecting the docking unit to the channel (column 6, lines 60-65; there is inherently a network connection to connect with the channel, without the connection the device cannot communicate over the channel). Therefore, it can be seen that the Safai device lacks the use of a docking station with a power supply for providing power to the camera, a memory that stores images of two different sizes, and transferring images of a first size

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to the service provider and receiving images of a second smaller size from the service provider. Viktors discloses the use of a power supply in the docking station (page 1, paragraph 0004, lines 3-4). Viktors teaches that the use of a power supply in a docking station is preferred in order to recharge the camera (pages 1-2, paragraph 0005, lines 4-7). Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the Safai device to include the use of a power supply in the docking station as suggested by Viktors. Tanaka discloses the use of a memory that stores images of two different sizes (column 5, lines 9-11; the camera stores the 240,000 pixel image and the 60,000 pixel image) and transferring images of a first size (column 9, lines 48-49) and receiving images of a second smaller size (column 6, line 63 – column 7, line 1). Tanaka teaches that the use of a memory that stores images of two different sizes and transferring images of a first size and receiving images of a second smaller size is preferred in order to transmit the images more quickly due to the reduced number of pixels (column 5, lines 12-13). Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the Safai device to include the use of a memory that stores images of two different sizes and transferring images of a first size and receiving images of a second smaller size as suggested by Tanaka.

4. In regard to claim 3, note Viktors discloses the use of a digital camera and docking station using the internet as a channel to transfer data (page 1, paragraph 004, line1), automatically connecting to the Internet when the camera is placed in the docking unit (page 4, paragraph 0024, lines 1-2). Viktors discloses the use of a

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predetermined service provider (page 3, paragraph 0017, lines 4-5). Safai discloses the transfer of a plurality of images from the service provider to camera memory (column 15, lines 36-44; the images are retrieved, stored, and displayed).

5. In regard to claim 11, note Safai discloses the use of a photo processor (figure 2: 208) that reduces the size of the image before displaying them on the display (column 3, lines 5-6; and column 10, lines 33-36).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US Patent # 6,167,469) in view of Viktors (Japanese publication # 2000-232599) and in further view of Tanaka et al. (US Patent # 6,392,697) further in view of Sato (Patent application # US 2001/0024236).

7. In regard to claim 2, note the primary reference of Safai, Viktors and Tanaka disclose a digital camera and docking station as claimed in claim 1. Therefore, it can be seen that the primary reference lacks selected input from a channel that is stored and displayed. Sato discloses a device that receives content from the network, stores the data (figure 9: S214-S218; and paragraph 0075), and display the information to the screen, this can be seen in paragraph 0043, lines 4-6. Sato teaches that it is preferred to receive content from the service provider in order for information to be easily obtained by the user (paragraph 0008, lines 4-5). Therefore, it would have been obvious to one of ordinary skill in the art to modify the Safai device as modified by Viktors and Tanaka, device to store and display the received content to the screen in order to make the information user selectable.

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8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US Patent # 6,167,469) in view of Viktors (Japanese publication # 2000-232599) and Tanaka et al. (US Patent # 6,392,697) as applied to claim 1 above, and further in view of "Design Rule for Camera File System".

9. In regard to claim 4, note the combined teaching as applied to claim 1 above discloses the use of a digital camera and docking unit that connects to a network to transfer files between the camera and a server. Therefore, it can be seen that the combined teaching lacks the storage of JPEG files in different directories. The "Design Rule for Camera File System" discloses the use of JPEG compression (page 14, 3.3.6 (B)) and multiple directories (page 21, 4.1.1). The "Design Rule for Camera File System" teaches the use of storage of JPEG files in different directories as a standard for all digital cameras. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Safai device, as modified by Viktors and Tanaka, to include JPEG compression and use multiple directories for storage of data.

10. Claims 5-7, 9-10, and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US Patent # 6,167,469) in view of Sato (Patent application # US 2001/0024236).

11. In regard to claim 5, note Safai discloses the use of a digital camera including a viewable display (figure 1: 108), a lens for providing an optical image (column 1, lines 19-21), an image sensor for receiving the optical image (figure 2: 202), a processor for producing a digital image to be displayed on the display (figure 2: 208 and 219), a docking interface to permit the digital camera to be connected to the docking unit

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(column 6, lines 60-65; the camera inherently has an interface, without the interface the camera cannot communicate with the docking station), a docking unit that communicates over a channel for transferring captured images to a service provider and receiving images from the service provider (column 6, lines 60-65), the docking unit inherently has a connector for receiving the interface on the digital camera (column 6, lines 60-65; without connectors the docking unit would not be able to communicate to the camera), a network connection for interconnecting the docking unit to the channel (column 6, lines 60-65; there is inherently a network connection to connect with the channel, without the connection the device cannot communicate over the channel), and a service provider including a memory for storing a plurality of user accounts (column 15, lines 28-45) with each account communicating information to the camera associated with each account (column 15, lines 28-45), the network for communicating the images is the Internet (column 13, lines 35-38), and the information is displayed on the display (column 15, lines 39-41). Therefore, it can be seen that Safai lacks a plurality of cameras and having the data communicated to the camera comprise content information corresponding to the content categories selected by the user. Although it is not explicitly stated in the reference that there are a plurality of cameras, it is implied that there is a plurality of cameras because each camera would have its own account information associated with each camera on the server. Sato discloses the use of a plurality of content categories that are communicated to the camera as selected by the user (page 5, paragraph 0075). Sato teaches that to receive a plurality of content categories that are selected by the user is preferred in order for information to be easily

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obtained by the user (paragraph 0008, lines 4-5). Therefore, it would have been obvious to one of ordinary skill in the art to have been motivated to modify the Safai device to include the receipt of a plurality of content categories as suggested by Sato.

12. In regard to claim 6, note Safai discloses the receipt of images from the service provider and the use of a display to view the received images (column 15, lines 37-44).

13. In regard to claim 7, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include sports team information based on the user's desires.

14. In regard to claim 9, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include stock information based on the user's desires.

15. In regard to claim 10, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include sports team information, news, or financial information based on the user's desires.

16. In regard to claim 12, which is a method claim, corresponding to the apparatus claim 5. Therefore, claim 12 is analyzed and rejected as previously discussed with respect to claim 5 above.

17. In regard to claim 13, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include sports team information based on the user's desires.

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18. In regard to claim 14, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include financial information based on the user's desires.

19. In regard to claim 15, note Sato discloses the download of character content in paragraph 0075, lines 7-9. It would have been obvious to modify this character content to include sports themed based on design choice.

Conclusion

Applicant's amendment, filed October 20, 2003, necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (703) 305-0344. The examiner can normally be reached on M-F: 8 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY
July 12, 2004



WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600